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June 5, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, N.W.
Washington, DC 20423-0001

222541

Re: STB Ex Parte No. 677 (Sub-No. 1), Common Carrier
Obligations of Railroads—Transportation of Hazardous Materials

Dear Secretary Quinlan:

Enclosed for filing in the above-referenced proceeding are the "Notice of Intent to appear on Behalf of Edison Electric Institute" and the "Motion of Edison Electric Institute for Extension of Time." Please note that Edison Electric Institute has requested expedited consideration in this matter. Thank you for your cooperation.

Very truly yours,



Michael F. McBride
Attorney for Edison Electric Institute

Enclosures

SURFACE TRANSPORTATION BOARD

Ex Parte No. 677 (Sub-No. 1)

222541

**COMMON CARRIER OBLIGATION OF RAILROADS—
TRANSPORTATION OF HAZARDOUS MATERIALS**

**NOTICE OF INTENT TO APPEAR ON BEHALF OF
EDISON ELECTRIC INSTITUTE**

Pursuant to the Notice of the Surface Transportation Board ("STB") served June 4, 2008, Edison Electric Institute ("EEI") hereby submits its notice of intent to participate in this proceeding and to appear at the hearing (now scheduled for July 16, 2008).

EEI is the association of U.S. shareholder-owned electric companies. Its members serve 95% of the ultimate customers in the shareholder-owned segment of the industry, and represent approximately 70% of the U.S. electric power industry. It also has as Affiliate members more than 65 International electric companies and, as Associate members, more than 170 industry suppliers and related organizations.

EEI's witness at the hearing will be identified later. EEI hereby respectfully requests 15 minutes to discuss the investor-owned electric utility industry's need for, and dependence on, the Nation's railroads to transport most of the coal used to generate electricity, and to transport other materials, such as anhydrous ammonia, chlorine, and radioactive materials, associated with the operation of coal-fired or nuclear power plants. EEI also intends to discuss the Price-Anderson Act of 1957, as amended, as the Board requested in its Notice.

In the context of this proceeding, of particular importance to EEI and its member companies is that (1) there is an adequate rail transportation network in the United States, (2) that railroads continue to be required to carry various hazardous materials (such as anhydrous ammonia and radioactive materials) that are either necessary to operate pollution-control equipment or that are associated with other types of power plants (e.g., nuclear facilities).

It is especially noteworthy that in the 1970s the STB's predecessor found that the rail mode was many times safer than the truck mode to move radioactive and other hazardous materials, and that remains the situation today. Many hazardous materials either cannot be transported by truck or are not transported by truck for various economic and safety reasons. Therefore, it is not only in the public interest to require railroads to carry these vital materials for EEI member companies and the rest of American industry – it is absolutely necessary that they do so.

EEI member companies may also appear and provide testimony that supplements EEI's testimony

Please list the undersigned as EEI's representative on the official service list for this proceeding.

Respectfully submitted,



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